

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF ARKANSAS
HOT SPRINGS DIVISION

DOROTHEA MOORE
On Behalf Of
A Minor Child, J.L.S.

PLAINTIFF

vs.

Civil No. 6:05-cv-06066

MICHAEL J. ASTRUE¹
Commissioner, Social Security Administration

DEFENDANT

JUDGMENT

Comes now the Court on this the 4th day of February, 2008, in accordance with the Memorandum Opinion entered in the above-styled case on today's date, and **GRANTS** the Commissioner's Motion to Remand. (Doc. No. 27). The decision of the Commissioner of Social Security is reversed, and this matter is remanded to the Commissioner pursuant to sentence four, 42 U.S.C. § 405(g).

If Plaintiff wishes to request an award of attorney's fees and costs under the Equal Access to Justice Act (EAJA), 28 U.S.C. § 2412, an application may be filed up to thirty (30) days after the judgment becomes "not appealable," i.e., thirty (30) days after the sixty (60) day time for appeal has ended. *See Shalala v. Schaefer*, 509 U.S. 292, 296, 113 S.Ct. 2625 (1993); 28 U.S.C. §§ 2412(d)(1)(B),(d)(2)(G).

IT IS SO ORDERED AND ADJUDGED this 4th day of February 2008.

/s/ Barry A. Bryant
Honorable Barry A. Bryant
United States Magistrate Judge

¹ Michael J. Astrue became the Social Security Commissioner on February 12, 2007. Pursuant to Rule 25(d)(1) of the Federal Rules of Civil Procedure, Michael J. Astrue has been substituted for acting Commissioner Jo Anne B. Barnhart as the defendant in this suit.